

Churches and Religion

Romania

22.

659 amendment; namely, by Law 62 of March 2, 1948. Its main provisions were as follows:

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All reorganized denominations were ordered to take detailed inventory of their assets and communicate it to the Ministry of Religious Affairs in order to enable the latter to exert an easier control over their material resources. Further, the denominations were obliged to hold religious services every time the Government so ordered.

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The heads of the Churches, elected or appointed, shall be recognized only upon taking of an oath of allegiance to the newly established People's Republic. By this oath they promised not only to obey the laws, but also to enforce them, to compel their subordinates to obey them and defend the Republic against "any enemies from within or without."

[421]

Finally, the Ministry of Religious Affairs was empowered to control and verify all assets and revenues of all kinds belonging to any church, as well as the use made of them.

It is clear that by this amendment the Government took quite a different attitude towards the church. Its existence is justified in the eyes of the government and protected only insofar as the church organizations enforce the law of the country and defend its political order. This amounts rather to bestowing executive and police powers upon the churches and to force upon them to practice political discriminations instead of religion.

There is a novel provision according to which the Government is entitled to control the use made by the churches of their

423 land, it was not passed on from father to son but reverted to the landowner, who was in turn responsible for providing newly married young cultivators with a holding. In fixing the extent of land to be held by each cultivator, these acts, especially the one for Moldavia, reduced the amount customarily enjoyed for pasturage and restricted the peasants' forest rights. Although the peasant was theoretically free to move, he was in fact tied to his community by a net of regulations.

[433] With a few modifications Rumanian agrarian relations were determined by the Organic Statutes for the next third of a century. Under them, as a contemporary observer remarked, "The principalities took on a new life"; there was a marked increase in economic activity. That the benefits of this activity were not generally shared by the peasants, however, is shown by their continued exodus across neighboring frontiers. They were being forced out of their old semipastoral habits, and the very increase of cereal exports could work to their disadvantage. For example, the entire 1847 wheat crop was sold in advance because of the urgent demands in other European states suffering from food shortages in the late 1840's. As a result of these premature sales, made largely through the boyars, the principalities experienced a food crisis which contributed greatly to the peasant unrest in the turbulent year 1848.

Apart from the abortive attempts at reform during the short-lived Wallachian revolution in 1848 and a moderate revision of the Organic Statutes in 1851, the next major change was the Act of 1864, which paralleled the 1848 emancipation in the Habsburg lands and the Russian emancipation of 1861. This act, promulgated for the united principalities by Prince Cuza, for political and social rather than for economic reasons, abolished the *clacă* and other servitudes. The peasants obtained full title to the land they had in use, based upon earlier regulations, and the landowners were given a compensation for the loss of their labor. The law followed the now recognized provision that peasant property could not exceed two-thirds of the former lord's estate. The new holdings could not be sold or alienated for a period of thirty years.

By this act, so it seemed, the remnants of the old servile system had been abolished. Possession and use of land were transformed into absolute property rights; the peasant holder was now a free proprietor, owing no servile obligations, and, indeed, the translation of the *clacă* and other dues into a redemption payment does seem to have dimin-

Emerit, *op. cit.*, p. 48, doubts if there is sufficient evidence to permit a positive declaration that the peasants traditionally had had the use of all the land.

PEASANT AGAINST LANDOWNER

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ished his burdens.¹⁴ Yet a quarter of a century after the Act of 1864 there began those peasant disturbances which culminated in the 1907 uprising. In some way, as Dobrogeanu-Gherea said, "The year 1864 carried in its womb the terrible year 1907."

The connection, however, is not a simple one and is paradoxical in several respects. Between 1864 and 1907 Rumania continued its rapid expansion in agriculture and commerce. Exports of grain, for example, increased from about 1,400,000 tons per year in the early 1880's to nearly 2,500,000 tons in 1905. Hence it is necessary to explain how under such circumstances there should have been growing peasant discontent. Was there, to repeat that old and difficult question, increasing poverty in the midst of expanding national wealth?

In the first place, while the Act of 1864 was passed against the wishes of the boyars, by a coup d'état on the part of Prince Cuza, the administration of the country, especially local administration, was still largely under their control, and they had ample opportunity to twist the provisions of the law to their advantage. Undoubtedly many injustices were committed in its application: often the landowner was able to distribute the worst land to the peasants, holding the best in his own estate; in a number of cases false measuring standards were used, an easy trick in a country lacking basic ground surveys; sometimes the landowner so divided the holdings that the peasants were unable to reach their property without paying a toll. As a cumulative result of these malpractices it is possible that although by the law the peasants were to receive the land they had in use before the reform, they actually received less and of lower quality. Local studies of a few districts indicate that such may have been the case, but statistics are lacking to make a general conclusion.

Another criticism of the law has been that while the peasants' claims to land could not exceed two-thirds of the lord's estate, the excess demand being met by grants of state land, in those regions where the peasants' quota was less the lord was able to retain as absolute property, with no future obligation, well over the minimal one-third. Moreover, under the Organic Statutes the lord was responsible for providing newly married peasants with a holding, while the new act made no adequate provision for subsequent generations. Peasant holdings now became inheritable property to be passed on from father to children. Since the new holdings were virtually inalienable and

14. This point, as in Russia, has been much disputed, and some authors have maintained that the peasants' burdens actually increased. The comparative figures, however, which are provided by Emerit, *op. cit.*, p. 516, if they are accurate and representative, show a considerable falling off of the amount owed by the peasant.